IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2497 OF 2005

Mahendra Anant Kavathkar ...Petitioner

Versus

Hamid Kasim Gadag Lal Complex & Anr....Respondents

.....

Mr.S.M.Railkar for Petitioner.

Mr.V.B.Konde-Deshmukh, A.P.P. for Respondent No.2.

.....

CORAM: A.M.KHANWILKAR, J.

DECEMBER 1, 2005.

P.C.

1. No interference is warranted with the conclusion reached by the Court below. Court below has rightly found that after filing of the complaint on 10th December 2001, the complainant did not bother to appear before the Court inspite of around nine adjournments, which position is fortified from the copy of the Roznama which was produced by the Advocate across the bar after I had insisted for the same.

2. In such a situation, the complaint has been rightly dismissed for non-prosecution. Hence, dismissed.

A.M.KHANWILKAR, J.